REMARKS/ARGUMENTS

Claims 1, 10, and 20 are amended. Claim 21 is added. No claims are canceled. Thus, after entry of this amendment, claims 1-21 will be pending.

Claims 1-7, 9-17, and 19-20 are rejected under 35 USC § 103(a) as being unpatentable over Bruce (United States Patent Application Publication 2002/0095623 A1) in view of Meyer (United States Patent 6,061,822).

Claims 8 and 18 are rejected under 35 USC § 103(a) as being unpatentable over Bruce in view of Meyer in further view of Null (The Essentials of Computer Organization and Architecture).

Information Disclosure Statement

The Office Action stated that the non-patent literature within the information disclosure statement filed September 24, 2003 was not legible. Therefore, an information disclosure statement including copies of these non-patent literature documents is being enclosed.

Claims 1-9

Claim 1 is allowable over the cited references, either alone or in combination, as those references fail to teach or suggest all the elements of claim 1. For example, claim 1 recites:

> *at a second time, generating a second sequence of numbers based on a second seed value using the pseudo random generator, the second seed value including a time sensitive code based on the second time;*
>
> *writing the second sequence of numbers on the first memory device at the first location and a second memory device using the data storage system;*
>
> *reading second sets of data stored on the first memory device at the first location and the second memory device; and*
>
> *comparing the second set of data read from the first memory device to the second set of data read from the second memory device to evaluate integrity of the first set of data written onto the first memory device.*

Bruce

Bruce is directed to a method of storing a seed value and test data generated using the seed on a single storage device. The purpose is to test the functionality of the storage device without keeping a separate copy of the tested information. *See Bruce*, paragraph 24 lines 28-33. In Bruce, different data is written in different sectors, but different data is not written to the same sector at another time. *See Bruce*, Figure 2. Bruce specifically states that unless another memory location requires testing no more data is written to the storage device. *See Bruce*, paragraph 24. Thus, Bruce does not teach or suggest "*writing the second sequence of numbers on the first memory device at the first location and a second memory device using the data storage system*," as recited in claim 1.

Also, as Bruce is directed to testing the data efficiently on a single disk and to not keeping a separate copy of the tested information, Bruce teaches away from using a second memory device, thereby discouraging a combination with Mayer.

Meyer

Meyer is directed to checking an equality of data already written to two disks. An IDE controller receives data blocks from mirrored disks in a dual channel IDE controller architecture. *See Meyer*, col. 2 lines 50-54. CRC values computed from the data on each of the mirrored disks are compared. *See Meyer*, col. 2 lines 15-18.

Meyer does not mention writing different random sequences of data to the same location on a disk since only the data is being checked and not the disk itself. After the data has been verified, there is no need to write different data to the same location, particularly different random data generated by a second time dependent seed. Thus, there is neither disclosure of writing such different data to the same location nor a motivation to do so. Therefore, Meyer does not teach or suggest "*writing the second sequence of numbers on the first memory device at the first location and a second memory device using the data storage system*, as recited in claim 1.

Null

Null is only cited for teaching that an optical disk is a form of memory device. This cited teaching does not make up for the above-mentioned deficiencies in Bruce and Meyer.

For at least these reasons, claim 1 is allowable over the cited references. As claim 1 is allowable, claims 2-9 which depend therefrom are also allowable for at least the same rationale. Note that amendments to claim 1 are supported at least by paragraph 33 of the present specification.

Claim 5

In addition to being allowable for the same rationale as claim 1, claim 5 is allowable for additional reasons. For example, claim 5 recites "*wherein the seed value includes the logic block address*," as recited in claim 5.

Although Bruce states that the seed may be generated in many ways (paragraph 29), Bruce does not teach or suggest using the logic block address (LBA). The simple fact that the seed is stored at a specific LBA does not mean that the LBA is used to create the seed. The Office Action does not point to a place in Bruce that discloses or provides a motivation for this limitation. For at least this additional reason, claim 5 is allowable over the cited references.

Claims 10-20

Applicants submit that independent claims 10 and 20 should be allowable for reasons mentioned with respect to claim 1. As claim 10 is allowable, dependent claims 11-19 are allowable for at least the same rationale.

New Claim

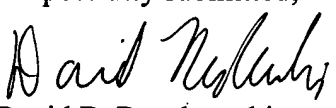
Claim 21 is supported at least by paragraph 35 of the present specification.

CONCLUSION

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,



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Attachments
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